
**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)	
)	
Request for Review of the Decision of the)	
Universal Service Administrator by)	
)	
Northside Center for Child Development, Inc.)	File No. SLD- 45762
New York, New York)	
)	
Federal-State Joint Board on)	CC Docket No. 96-45
Universal Service)	
)	
Changes to the Board of Directors of the)	CC Docket No. 97-21
National Exchange Carrier Association, Inc.)	

ORDER

Adopted: June 11, 2003

Released: June 12, 2003

By the Telecommunications Access Policy Division, Wireline Competition Bureau:

1. Northside Center for Child Development, Inc. (Northside Center), New York, New York, seeks review of a decision by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator).¹ Prior to the time that Northside Center filed its request with the Commission, it also filed an appeal of the same decision with SLD.² The Commission's rules do not contemplate simultaneous appeals of SLD's decisions to the Administrator and the Commission.³ We therefore dismiss Northside Center's Request for Review to the Commission without prejudice. Once the Administrator has issued its decision, Northside Center may then appeal to the Commission, if it believes such an appeal is warranted at that time.⁴

¹ Letter from Paula Magnus, Northside Center for Child Development, Inc., to Federal Communications Commission, filed March 31, 2003 (Request for Review). Any person aggrieved by an action taken by a division of the Administrator may seek review from the Commission. 47 C.F.R. § 54.719(c).

² Letter from Paula Magnus, Northside Center for Child Development, Inc., to Schools and Libraries Division, Universal Service Administrative Company, filed March 28, 2003.

³ 47 C.F.R. § 54.720 (when an applicant has an appeal pending with the Administrator, the period to file with the Commission is tolled until the Administrator's review is complete).

⁴ See 47 C.F.R. §§ 54.719 – 54.725 (setting forth rules pertaining to Commission review of the Administrator's decisions).

2. ACCORDINGLY, IT IS ORDERED, pursuant to authority delegated under sections 0.91, 0.291, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, and 54.722(a), that the Request for Review filed on March 31, 2003, by Northside Center for Child Development, Inc., New York, New York, IS DISMISSED WITHOUT PREJUDICE.

FEDERAL COMMUNICATIONS COMMISSION

Mark G. Seifert
Deputy Chief, Telecommunications Access Policy Division
Wireline Competition Bureau